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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/471,490	12/23/1999	Ravi Ganesan	3350-19E	7474

7590

09/29/2003

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EXAMINER

NGUYEN, MINH DIEU T

ART UNIT

PAPER NUMBER

2132

DATE MAILED: 09/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/471,490

Applicant(s)

GANESAN ET AL.

Examiner

Minh Dieu Nguyen

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11-19, 25-30 and 35-42 is/are rejected.
- 7) ☒ Claim(s) 8-10, 20-24, 31-34 and 43-49 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-49 are pending.

Claims 8-10, 20-24, 31-34 and 43-49 are objected.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 7, 12-14, 25-26, 35 and 37-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Powar, US Patent 6,285,991 B1.

a) As to claims 1, 12-14, 25-26 and 37, Powar discloses a secure interactive electronic account statement delivery system including:

a biller (Figure 1, element 100) corresponds to a first network station configured to control access to information stored on a network for a third network entity.

a certified bank (col. 6, lines 63-64) corresponds to a second network station configured to control access to the network by a third network entity. The certified bank issues customer's certificate to customer, second component message (col. 9, lines 1-8)

a customer (Figure 1, element 140) corresponds to a third network station configured to receive the transmitted certificate, combining with a request message

digest, first component message, and to further transmit the received combined messages over the network in order to obtain access to the stored information (col. 9, lines 49-52).

wherein a biller receives the further transmitted combined messages, authenticates the request by authenticating the customer's certificate, decrypts customer's digital signature, obtains a message digest of request itself, compares the message digest before beginning its electronic billing service to customer (col. 10, lines 28-61).

b) As to claims 7 and 35, Powar discloses the first component message is the request message digest including customer's information (name, address, customer's account number with the biller) (col. 10, lines 20-27). He also discloses the second component message is the customer's certificate which the certified bank has authenticated the customer (col. 7, line 54 to col. 8, line 5).

c) As to claim 38, Powar discloses the first component includes a network address at which the identified stored information can be accessed (col. 11, lines 63-66).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-6, 15-19, 27-30, and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powar, and further in view of Fox et al., US Patent 6,560,581 B1.

a) As to claims 2, 15, 27, 40 and 41, Powar discloses a secure interactive electronic account statement delivery system however he fails to disclose the first crypto key is a symmetric crypto key and the second crypto key is a non-symmetric crypto key.

Fox discloses a system and method for secure electronic commerce transaction in which the registration process between each participant with the trusted authority is required using the symmetric and non-symmetric key with the registration packet (col. 8, line 38 to col. 10, line16).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of symmetric and non-symmetric crypto keys, as Fox teaches, in the system of Powar so as to strengthen the transaction security.

b) As to claim 3, 16, 21 and 41, Powar discloses a secure interactive electronic account statement delivery system however he fails to disclose the symmetric crypto key is known only to the first network entity.

Fox discloses a system and method for secure electronic commerce transaction in which the symmetric crypto key is known only to the trusted authority (binder) (col. 10, lines 4-5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of symmetric key, as Fox teaches, in the system of Powar so as to strengthen the transaction security.

c) As to claims 5, 18 and 29, it is inherent that a non-symmetric crypto key can be used as the first crypto key.

d) As to claims 4, 17, 28, 39, 40 and 42, Powar discloses a secure interactive electronic account statement delivery system in which the non-symmetric crypto key is a private crypto key of a joint private-public crypto-key pair associated with the second network entity, the certified bank (col. 9, lines 1-42).

e) As to claims 6, 19 and 30, Powar discloses a secure interactive electronic account statement delivery system however he fails to disclose the first non-symmetric crypto key is a public crypto key of a joint private-public crypto key pair associated with the first network entity.

Fox discloses a system and method for secure electronic commerce transaction in which the non-symmetric crypto key is a public key of a private-public key pair associated with the participant (col. 8, lines 38-64).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of non-symmetric key, as Fox teaches, in the system of Powar so as to strengthen the transaction security.

4. Claims 11 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powar, in view of Fox et al., US Patent 6,560,581 B1, and further in view of Sirbu et al., US Patent 5,809,144.

Powar and Fox fail to disclose a timestamp included in the combined messages that are transmitted by the second network station.

Sirbu discloses the timestamp (Figure 10) is being sent along with other information from merchant to customer.

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of timestamp, as Sirbu teaches, in the system of Powar and Fox so as to enhance non-repudiation.

***Allowable Subject Matter***

5. Claims 8-10, 20-24, 31-34 and 43-49 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rowney et al., System, Method, and Article of Manufacture for Secure Network Electronic Payment and Credit Collection, US Patent 5,987,140.

Smorodinsky, Electronic Bill Presentment and Payment System Which Deters Cheating by Employing Hashes and Digital Signatures, US Patent 6,049,786.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 703-305-9727. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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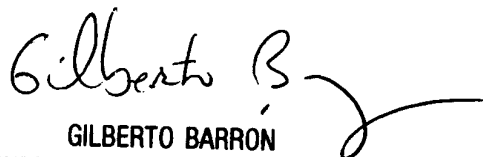
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Minh Dieu Nguyen  
Examiner  
Art Unit 2132

mdn  
9/16/03



GILBERTO BARRON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100